

Attorney or Party Name, Address, Telephone & FAX Nos., State Bar No. & Email Address RICHARD K. DIAMOND (State Bar No. 070634) RKDTrustee@dgdgk.com 1900 Avenue of the Stars, 11th Floor Los Angeles, California 90067-4402 Telephone: (310) 201-2482 Facsimile: (310) 277-5735 <input checked="" type="checkbox"/> Individual appearing without attorney <input type="checkbox"/> Attorney for:	FOR COURT USE ONLY
UNITED STATES BANKRUPTCY COURT CENTRAL DISTRICT OF CALIFORNIA - LOS ANGELES DIVISION	
In re: JAMES F. LIBERTO, Debtor(s).	CASE NO.: 2:11-bk-13186-BB CHAPTER: 7 NOTICE OF SALE OF ESTATE PROPERTY

Sale Date: 09/09/2016	Time: 11:00 am
Location: 1900 Avenue of the Stars, 11th Floor, Los Angeles, CA 90067	

Type of Sale: ☒ Public ☐ Private **Last date to file objections:** 09/02/2016

Description of property to be sold:

Sale, subject to all liens, exemptions, defenses, interests, and secured claims, without warranty or recourse:

- 1) Investment in Tahoe Investment Club valued by the debtor at \$750,000.00;
- 2) Deed of trust against property in Palm Springs valued by the debtor at \$42,000.00.

Terms and conditions of sale:

ALL CASH and "AS IS"

Proposed sale price: _____

This form is mandatory. It has been approved for use in the United States Bankruptcy Court for the Central District of California.

Overbid procedure (if any):

[SEE ATTACHED NOTICE]

If property is to be sold free and clear of liens or other interests, list date, time and location of hearing:

Contact person for potential bidders (include name, address, telephone, fax and/or email address):

Michael G. D'Alba, Esq.
Danning, Gill, Diamond & Kollitz, LLP
1900 Avenue of the Stars, 11th Floor
Los Angeles, CA 90067
Tel.: 310-277-0077- Fax: 310-277-5735
Email: mdalba@dgdk.com

Date: 08/22/2016

ATTACHMENT

1 RICHARD K. DIAMOND (State Bar No. 070634)
RKDTrustee@dgd.com
2 1900 Avenue of the Stars, 11th Floor
Los Angeles, California 90067-4402
3 Telephone: (310) 201-2482
Facsimile: (310) 277-5735
4

5 Chapter 7 Trustee
6
7

8 **UNITED STATES BANKRUPTCY COURT**
9 **CENTRAL DISTRICT OF CALIFORNIA**
10 **LOS ANGELES DIVISION**

11 In re
12 JAMES F. LIBERTO,
13
14 Debtor.
15

Case No. 2:11-bk-13186-BB

Chapter 7

**NOTICE OF TRUSTEE'S PROPOSED
SALE OR ABANDONMENT OF
PROPERTY (11 U.S.C. SECTIONS 363
AND 554)**

Date: September 9, 2016
Time: 11:00 a.m.
Place: 1900 Avenue of the Stars, 11th Floor
Los Angeles, CA 90067
17

18 **TO ALL CREDITORS AND OTHER INTERESTED PARTIES:**

19 **PLEASE TAKE NOTICE** that unless an objection is made and a hearing timely requested
20 by a party in interest in the manner set forth below, the Trustee, Richard K. Diamond, will offer for
21 sale, subject to all liens, exemptions, defenses, interests, and secured claims, without warranty or
22 recourse, at the above-indicated time, date and place, all of the Trustee's right, title, and interest in
23 the following property of the estate (the "Assets"): 1) Investment in Tahoe Investment Club valued
24 by the Debtor at \$750,000 and 2) deed of trust against property in Palm Springs valued by the
25 Debtor at \$42,000.

26 Pursuant to LBR 6004-1(d)(2)(B), the Trustee certifies that he has received no offers. The
27 Trustee does not believe that a sale of the Assets will trigger tax consequences for the debtor's
28

1 estate but has not consulted with a tax professional on this subject due to the fact that no bid has
2 been received to date.

3 The terms of the sale are **ALL CASH** and "AS-IS."

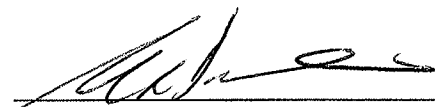
4 The Trustee reserves the right to reject bids that, in his opinion, are insufficient or do not
5 conform to the terms of the sale, and without further notice, except as orally announced at said sale
6 or continuance thereof, continue the sale from time to time and place to place, and conclude a
7 private sale.

8 If no acceptable bid is received, the Trustee may abandon the assets without further notice.
9 In the event the Trustee elects to abandon the property, he will file a pleading to that effect with the
10 Clerk of the Court, served solely upon the debtor, debtor's counsel and the United States Trustee.

11 Objections to the above proposed property disposition hereto and requests for a hearing
12 before the above-captioned Bankruptcy Court, if any, shall be in writing and filed with the Clerk of
13 the Bankruptcy Court and served upon the Trustee at the address indicated in the upper left-hand
14 corner of the first page of this notice and upon the Office of the United States Trustee, 915 Wilshire
15 Boulevard, Suite 1850, Los Angeles, California 90017, within seventeen (17) days after the date of
16 mailing of this notice, unless otherwise ordered by the Court. If no written objection and request
17 for hearing is timely filed and served, the Trustee may take the proposed action on the date
18 specified herein in his sole discretion. Any objections not timely filed and properly served will be
19 deemed waived.

20 To the extent that a request or application is required by law or the Rules applicable hereto,
21 this Notice shall constitute such a request or application.

22
23 DATED: August 12, 2016

24
25
26 
27 RICHARD K. DIAMOND
Chapter 7 Trustee

28 **DATE OF MAILING:** August 16, 2016

PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is 1900 Avenue of the Stars, 11th Floor, Los Angeles, CA 90067-4402.

A true and correct copy of the foregoing document entitled (*specify*): NOTICE OF TRUSTEE'S PROPOSED SALE OR ABANDONMENT OF PROPERTY (11 U.S.C. SECTIONS 363 AND 554) will be served or was served **(a)** on the judge in chambers in the form and manner required by LBR 5005-2(d); and **(b)** in the manner stated below:

1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF): Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On August 16, 2016 I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

☒ Service information continued on attached page.

2. SERVED BY UNITED STATES MAIL: On August 16, 2016, I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

☒ Service information continued on attached page.

3. SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL (*state method for each person or entity served*): Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on August 16, 2016, I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

VIA PERSONAL DELIVERY BY ALSSI ON 8/17/16:

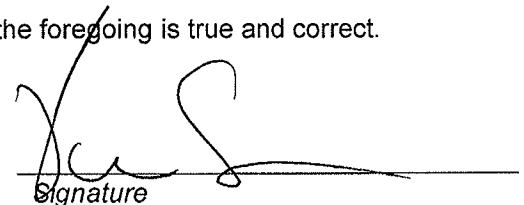
Hon. Sheri Bluebond
U. S. Bankruptcy Court
255 E. Temple Street, Suite 1482
Los Angeles, CA 90012

☐ Service information continued on attached page.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

August 16, 2016
Date

Vivian Servin
Printed Name


Signature

ADDITIONAL SERVICE INFORMATION (if needed):

1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF):

Atty. for Defendant M. Liberto: Brett B Curlee brett.curlee@thecurleelawfirm.com
Atty. for Danning, Gill, Diamond & Kollitz, LLP: Michael G D'Alba mgd@dgdk.com, DanningGill@gmail.com
Trustee: Richard K Diamond (TR) jlv@dgdk.com, rdiamond@ecf.epiqsystems.com; DanningGill@Gmail.com
Atty. for Creditor Central Mortgage Company: Olen-Keith S Guiab oguiab@mclaw.org
Atty. for Creditor Wells Fargo Home Mortgage: Gerald S Kim cdcaecf@bdfgroup.com
Atty. for Danning, Gill, Diamond & Kollitz, LLP: Howard Kollitz HKollitz@DGDK.Com, DanningGill@gmail.com
Atty. for Defendant M. Liberto: David B Lally davidlallylaw@gmail.com
Atty. for Creditor Wells Fargo Bank, N.A.: Joe M Lozano notice@NBSDefaultServices.com
Interested party: Kathy Bazoian Phelps kphelps@dgdk.com, DanningGill@gmail.com
Atty. for U. S. Trustee: Melanie C Scott Melanie.Scott@usdoj.gov
Atty. for Creditor Wescom Credit Union: Nathan F Smith nathan@mclaw.org
Atty. for Creditors Steven Gross Family Trust and Patricia H. Gross Family Trust: Ovsanna Takvoryan
ovsanna@takvoryanlawgroup.com
Atty. for Debtor: David A Tilem davidtilem@tilemlaw.com, malissamurguia@tilemlaw.com; dianachau@tilemlaw.com;
joanfidelson@tilemlaw.com
United States Trustee (LA) ustpreion16.la.ecf@usdoj.gov
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2. SERVED BY UNITED STATES MAIL:

Debtor

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Bank Of America
Attn: Bankruptcy NC4-105-02-99
P.O. Box 26012
Greensboro, NC 27410

Attorneys for Creditors

Antonia Perez and Hortencia Perez

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Law Offices of Robert A. Brock
2617 N. San Fernando Blvd.
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Charles and Barbara Liberto
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All Creditors

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Cmre Financial Services Inc
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P.O. Box 6618
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Discover Fin
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Ellen Unt
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Pacific Palisades, CA 90272

Aspen National Collections
P.O. Box 110689
Brooksville, FL 34603

Gembppbycr
Paypal Buyer Credit
Attention: Bankruptcy
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Roswell, GA 30076

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P.O. Box 3425
Buffalo, NY 14240

Hfc - Usa
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Buffalo, NY 14240

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Mary Day
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Moreno Valley, CA 92557

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Mildred Berry
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Wells Fargo Home Mortgage
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Frederick, MD 21701

Wescom Credit Union
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Pasadena, CA 91109

Zwicker & Associates
P.O. Box 101145
Birmingham, AL 35210

Zwicker & Associates
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Andover, MA 01810

3. SERVED BY U.S. MAIL AND/OR EMAIL

PROSPECTIVE PURCHASERS:

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Ray R. Nosrati
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U.S. MAIL AND EMAIL

Nicholas Mandola
27 Westminster Ave., #102
Venice, CA 90291

ANB Enterprises, Inc.

U.S. MAIL AND EMAIL

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Robert S. Zilm
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U.S. MAIL AND EMAIL

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Jason Roberts
Notes We Buy LLC
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jasonranches@gmail.com

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Encino, CA 91436
gabrams@askfinancial.com

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SMitnick@MMPCLawFirm.com
Scott Kohn, President

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EMAIL

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bramsaur@swlaw.com

U.S. MAIL AND EMAIL

3 Arch Investments, LLC
P.O. Box 3465
Dana Point, CA 92629
Attn: Timothy White, Manager
Email: timothywhite1@cox.net

U.S. MAIL AND EMAIL

PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is:

1900 Avenue of the Stars, 11th Floor, Los Angeles, CA 90067

A true and correct copy of the foregoing document entitled: **NOTICE OF SALE OF ESTATE PROPERTY** will be served or was served **(a)** on the judge in chambers in the form and manner required by LBR 5005-2(d); and **(b)** in the manner stated below:

1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF): Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On *(date)* 08/22/2016, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

☒ Service information continued on attached page

2. SERVED BY UNITED STATES MAIL:

On *(date)* 08/22/2016, I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

☒ Service information continued on attached page

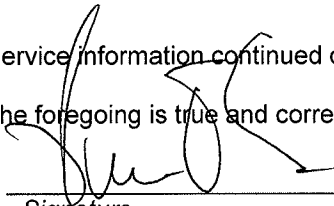
3. SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL (state method for each person or entity served): Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on *(date)* 08/22/2016, I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

☒ Service information continued on attached page

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

08/22/2016
Date

Vivian Servin
Printed Name


Signature

ADDITIONAL SERVICE INFORMATION (if needed):

1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF):

Atty. for Defendant M. Liberto: Brett B Curlee brett.curlee@thecurleelawfirm.com
Atty. for Danning, Gill, Diamond & Kollitz, LLP: Michael G D'Alba mgd@dgdk.com, DanningGill@gmail.com
Trustee: Richard K Diamond (TR) jlv@dgdk.com, rdiamond@ecf.epiqsystems.com; DanningGill@Gmail.com
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Atty. for Creditor Wells Fargo Home Mortgage: Gerald S Kim cdcaecf@bdfgroup.com
Atty. for Danning, Gill, Diamond & Kollitz, LLP: Howard Kollitz HKollitz@DGDK.Com, DanningGill@gmail.com
Atty. for Defendant M. Liberto: David B Lally davidlallylaw@gmail.com
Atty. for Creditor Wells Fargo Bank, N.A.: Joe M Lozano notice@NBSDefaultServices.com
Interested party: Kathy Bazoian Phelps kphelps@dgdk.com, DanningGill@gmail.com
Atty. for U. S. Trustee: Melanie C Scott Melanie.Scott@usdoj.gov
Atty. for Creditor Wescom Credit Union: Nathan F Smith nathan@mclaw.org
Atty. for Creditors Steven Gross Family Trust and Patricia H. Gross Family Trust: Ovsanna Takvoryan
ovsanna@takvoryanlawgroup.com
Atty. for Debtor: David A Tilem davidtilem@tilemlaw.com, malissamurguia@tilemlaw.com; dianachau@tilemlaw.com;
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United States Trustee (LA) ustpreion16.la.ecf@usdoj.gov
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2. SERVED BY UNITED STATES MAIL:

Debtor

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Bank Of America
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P.O. Box 26012
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Attorneys for Creditors

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Citibank
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All Creditors

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Malvern, PA 19355

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American Express
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Discover Fin
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Ellen Unt
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Pacific Palisades, CA 90272

Aspen National Collections
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Gembppbycr
Paypal Buyer Credit
Attention: Bankruptcy
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Roswell, GA 30076

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Buffalo, NY 14240

Hfc - Usa
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Buffalo, NY 14240

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State of California
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The Moore Law Group
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Verdugo Radiology Medical Group
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Wachovia Mortgage
P.O. Box 659558
San Antonio, TX 78265

Wells Fargo Bank
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Wells Fargo Home Mortgage
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Frederick, MD 21701

Wescom Credit Union
P.O. Box 7058
Pasadena, CA 91109

Zwicker & Associates
P.O. Box 101145
Birmingham, AL 35210

Zwicker & Associates
80 Minuteman Rd
Andover, MA 01810

GOVERNMENT ENTITIES

Internal Revenue Service
P.O. Box 7346
Philadelphia, PA 19101-7346

U. S. Securities and Exchange
Commission
Attn: Bankruptcy Counsel
444 South Flower Street, Suite 900
Los Angeles, CA 90071-9591

Employment Development Dept.
Bankruptcy Group MIC 92E
P.O. Box 826880
Sacramento, CA 94280-0001

Franchise Tax Board
Bankruptcy Section MS: A-340
P.O. Box 2952
Sacramento, CA 95812-2952

State Board Of Equalization
P O Box 942879
Sacramento, CA 94279-0055

3. SERVED BY U.S. MAIL AND/OR EMAIL

PROSPECTIVE PURCHASERS:

Matt Rothman
P.O. Box 473
Hermosa Beach, CA 90254

Lawrence R. Barker
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Warren Eugene Frank
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Vicki L. Schennum, Esq.
208 20th Street
Huntington Beach, CA 92648

Walter Parker Auctioneer, Inc.
Attn: Walter Parker
3801 Frotas Avenue
El Paso, TX 79905-1313

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U.S. MAIL AND EMAIL

Nicholas Mandola
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U.S. MAIL AND EMAIL

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Scott Kohn, President

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bramsaur@swlaw.com

3 Arch Investments. LLC **U.S. MAIL AND EMAIL**
P.O. Box 3465
Dana Point, CA 92629
Attn: Timothy White, Manager
Email: timothywhite1@cox.net

3. SERVED BY PERSONAL DELIVERY

VIA PERSONAL DELIVERY BY ALSSI TO BE DELIVERED BY AUGUST 23, 2016

The Honorable Sheri Bluebond
U.S. Bankruptcy Court
Roybal Federal Building
Bin outside of Suite 1482
255 E. Temple Street
Los Angeles, CA 90012